

EXHIBIT 37

*PACIFIC ALLIANCE ASIA OPPORTUNITY FUND L.P. vs.
KWOK HO WAN, et al*

*YAN PING WANG
October 11, 2018*



126 East 56th Street, Fifth Floor New York, New York 10022

P: 212-750-6434 F: 212-750-1097

www.ellengrauer.com

Original File 248522.TXT

Min-U-Script® with Word Index

1 SUPREME COURT OF THE STATE OF NEW YORK

2 COUNTY OF NEW YORK

3 -----X
PACIFIC ALLIANCE ASIA OPPORTUNITY FUND L.P.,

4 Plaintiffs,

5 -against-

6 KWOK HO WAN, a/k/a KWOK HO, a/k/a GWO WEN GUI,
7 a/k/a GUO WENGUI, a/k/a GUO WEN-GUI, a/k/a WAN
GUE HAOYUN, a/k/a MILES KWOK, a/k/a HAOYUN GUY,

8 Defendants.

9 Index No.: 652077/2017
-----X

10
11 7 Times Square
12 New York, New York

13 October 11, 2018
10:15 a.m.

14
15 Videotaped Deposition of YAN PING WANG,
16 before Shari Cohen, a Notary Public of the State
17 of New York.

18
19
20
21
22
23 ELLEN GRAUER COURT REPORTING CO., LLC
24 126 East 56th Street, 5th Floor
New York, New York 10022
212-750-6434
25 REF: 248522

A P P E A R A N C E S:

O'MELVENY & MYERS LLP

Attorneys for Plaintiff

7 Times Square

New York, New York 10036

BY: EDWARD MOSS, ESQ.

STUART SANDOFF, ESQ.

LUK MIRE, ESQ.

PHONE 212-728-5671

EMAIL emoss@omm.com

HODGSON RUSS

Attorneys for Defendant

605 Third Avenue

New York, New York 10158

BY: JILLIAN MARIE SEARLES, ESQ.

PHONE 646-218-7591

EMAIL jsearles@hodgsonruss.com

ALSO PRESENT:

DAN MACOM, Videographer

1 ----- I N D E X -----

2 WITNESS EXAMINATION BY PAGE
3 YAN PING WANG MR. MOSS 6

4

5

6 ----- E X H I B I T S -----

7 EXHIBIT DESCRIPTION FOR I.D.
8 Exhibit 1 Subpoena 47
9 Exhibit 2 Affidavit 55
10 Exhibit 3 Trademark 58
11 Exhibit 4 E-Mail 63
12 Exhibit 5 Defendant's Responses and 81
13 Objections to Plaintiff's
14 Amended First Set of
15 Interrogatories
16 Exhibit 6 E-Mail 93
17 Exhibit 7 E-Mail 97
18 Exhibit 8 E-Mail 105
19 Exhibit 9 E-Mail 110

20

21

22 (EXHIBITS TO BE PRODUCED)

23

24

25

1 WANG

2 A. Mr. Kwok.

3 Q. What did he tell you?

4 A. I don't remember. It's a long
5 time ago.

6 Q. Who do you think of as the
7 owner of the apartment?

8 A. I don't know because I never
9 see any paper in front of me so I don't know.
10 It's all I heard from him, but I don't know.

11 Q. Do you think he owns it?

12 A. I don't know. I cannot guess.

13 Q. Who would have knowledge of
14 information relating to the purchase of the
15 residence in 2015 by Geneva?

16 A. I don't know.

17 Q. Would Mr. Kwok have that
18 knowledge?

19 A. That would be my guess.

20 Q. Can you identify anyone else
21 who is acting on behalf of Geneva to purchase
22 the residence?

23 A. I don't know them.

24 Q. How about Kathy Sloane; would
25 she have knowledge about the purchase of the

1 WANG

2 residence?

3 A. I heard she was the broker.

4 Q. Have you ever heard anything
5 about the residence at the Sherry-Netherland
6 being on the market?

7 A. I heard that.

8 Q. Is it still on the market?

9 A. I don't know. I didn't check.

10 Q. Who told you it was on the
11 market?

12 A. Mr. Kwok. I don't remember. I
13 don't remember.

14 Q. Did you ever have any
15 discussions with anyone other than Mr. Kwok
16 about the residence being on the market?

17 A. No.

18 Q. Who has knowledge of
19 information relating to the potential sale of
20 the apartment?

21 A. I don't know.

22 Q. Mr. Kwok does, right?

23 A. That would be my guess.

24 Q. Anyone else you could think of?

25 A. No, I don't know.

1 WANG

2 Q. We talked a little bit earlier
3 -- I had asked you about any pledges. You
4 don't have any personal knowledge about any
5 pledges of the apartment?

6 A. No, I don't know that.

7 Q. Do you know who would have that
8 knowledge?

9 A. I don't know.

10 Q. Do you know whether or not the
11 apartment has been pledged at all; you just
12 don't know?

13 A. I don't know that.

14 Q. Have you ever had any
15 discussions with anyone about pledging the
16 apartment?

17 A. No.

18 Q. Did you tell Mr. Kwok that the
19 apartment had been pledged?

20 A. No.

21 Q. Because you have no idea if
22 it's been pledged or not, right?

23 A. Correct.

24 Q. Have you ever heard anything
25 about pledges of Geneva?

1 WANG

2 A. No.

3 Q. You never told Mr. Kwok that
4 Geneva was pledged?

5 A. No.

6 Q. He never told you that it was
7 pledged?

8 A. No.

9 Q. You never had any discussion
10 with Mr. Kwok about pledges?

11 A. No.

12 Q. Can you identify for me anyone
13 who would have knowledge about any potential
14 pledge of the residence?

15 A. I don't know.

16 MR. MOSS: Exhibit 5.

17 (Exhibit 5, Defendant's

18 Responses and Objections to

19 Plaintiffs' Amended First Set of

20 Interrogatories, marked

21 for Identification.)

22 Q. You have been handed Exhibit 5
23 which is a document entitled -- you see there
24 is a bold title on the right Defendant's
25 Responses and Objections to Plaintiffs'

1 WANG

2 Amended First Set of Interrogatories, do you
3 see that?

4 A. Yes, I see this.

5 Q. I'll represent to you that
6 these are questions, written questions that
7 we sent to your lawyers that we asked for
8 answers to, okay?

9 A. Okay.

10 Q. Take a minute to look through
11 this document if you would and it's quite a
12 long document so take your time and my
13 question is just whether or not you have ever
14 seen this document before?

15 A. Yes, I saw this before.

16 Q. When did you see it?

17 A. I don't remember. This year.
18 Beginning of this year. I don't remember.
19 This year. For sure this year.

20 Q. In what context did you see it?

21 A. What context, what do you mean?

22 Q. Let me ask you a better
23 question.

24 A. Sorry, my language.

25 Q. No, it was a bad question. Have

C E R T I F I C A T E

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, SHARI COHEN, a Notary Public within
and for the State of New York, do hereby certify:

That YAN PING WANG, the witness whose
deposition is hereinbefore set forth, was duly
sworn by me and that such deposition is a true
record of the testimony given by such witness.

I further certify that I am not
related to any of the parties to this action by
blood or marriage; and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 16th day of October, 2018.

A handwritten signature in cursive script, appearing to read "Shari Cohen", is written over a horizontal line.

SHARI COHEN